

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

### **I. Amendments to the Specification and Abstract**

The specification and abstract have been reviewed and revised to improve their English grammar. The amendments to the specification and abstract have been incorporated into a substitute specification and abstract. Attached are two versions of the substitute specification and abstract, a marked-up version showing the revisions, as well as a clean version. No new matter has been added.

### **II. Title of the Invention**

In accordance with Examiner's request, the title of the invention has been amended. The invention is now titled "REPRODUCTON APPARATUS FOR SHORTENING A USER'S WAITING TIME UNTIL REPRODUCING A BEGINNING OF A PART THAT THE USER WANTS TO VIEW, AND A REPRODUCTION METHOD AND COMPUTER READABLE RECORDING MEDIUM HAVING A PROGRAM RECORDED THEREON FOR PERFORMING THE SAME."

### **III. Telephone Interview**

The Applicant would like to thank Examiner Harvey for granting and conducting a telephone interview on July 14, 2010 in connection with the above-identified application.

In the Interview Summary Sheet provided by the Examiner, the Examiner stated that (i) line 1 of paragraph 8 of the Office Action mailed on June 10, 2010 should read “Claim 18 ...” (as opposed to Claim 1), and (ii) dependent claims 19-35 contain allowable subject matter if amended to recite the subject matter of base claim 18 and amended to overcome the 35 U.S.C. § 112, second paragraph rejections.

#### **IV. Amendments to the Claims**

Based on the above-mentioned interview, independent claims 18, 36 and 37 have been amended to recite the allowable subject matter of claim 23.

Claims 23, 27, 28, 32 and 35 have been cancelled without prejudice or disclaimer of the subject matter contained therein.

Claims 24, 29, 30 and 33 have been amended to correct their respective dependencies in view of the cancellation of claims 23, 27 and 28.

It is also noted that claims 18-22, 24-26, 29-31, 33, 34, 36 and 37 have been amended to make a number of editorial revisions thereto. These editorial revisions have been made to place the claims in better U.S. form. Further, these editorial revisions have not been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

#### **V. 35 U.S.C. §101 Rejection**

Claim 37 was rejected under 35 U.S.C. § 101 for failure to recite statutory subject matter for failing to recite that the computer-readable recording medium is “non-transitory.” Claim 37

has been amended to clarify that the computer-readable recording medium is “non-transitory.”

As a result, claim 37 now recites statutory subject matter and withdrawal of this 35 U.S.C. § 101 rejection is respectfully requested.

## **VI. 35 U.S.C. § 112, Second Paragraph Rejections**

Claims 18-37 were rejected under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the rejection states that (i) claims 19-37 recite the conditional term “if,” which is indefinite, (ii) claim 19 recites the term “the first information,” which lacks antecedent basis, and (iii) claim 37 recites a computer program (i.e., software).

Claims 19-37 have been amended to replace the term “if” with the term “when,” as kindly suggested by the Examiner.

Claim 19 has been amended to replace the term “the first information” with the term “first information,” in order to correct the antecedent basis problem.

Claim 37 has been amended to recite a “non-transitory computer-readable recording medium having a computer program recorded thereon, the computer program causing a computer to function as ... ,” which clarifies the scope of the claimed invention.

In view of the above-mentioned amendments, withdrawal of this 35 U.S.C. § 112, second paragraph rejection is respectfully requested.

## **VII. Allowable Subject Matter**

As mentioned above, claim 23 was identified by the Examiner as being allowable if rewritten in independent form to include all of the limitations of base claim 18. The Applicants would like to thank the Examiner for this indication of allowable subject matter.

Further, as mentioned above, independent claim 18 has been amended to include the subject matter of claim 23, which was identified by the Examiner as containing allowable subject matter.

Moreover, as mentioned above, independent claims 36 and 37 have also been amended to include subject matter similar to that recited in claim 23, which was identified as containing allowable subject matter.

Accordingly, in view of the Examiner's indication of allowable subject matter as discussed above, it is submitted that amended independent claims 18, 36 and 37 and claims 19-22, 24-26, 29-31, 33 and 34 that depend therefrom are allowable.

## **VIII. 35 U.S.C. § 102 Rejections**

Claim 37 was rejected under 35 U.S.C. § 102(b) as being anticipated by Official Notice. This rejection is considered moot in view of the above-mentioned amendments and the indication of allowable subject matter. As a result, withdrawal of this rejection is respectfully requested.

Claims 18 and 36 were rejected under 35 U.S.C. § 102(b) as being anticipated by Miyazaki (U.S. 2001/0046190). This rejection is also considered moot in view of the above-mentioned amendments and the indication of allowable subject matter. As a result, withdrawal of this rejection is respectfully requested.

**IX. 35 U.S.C. § 103(a) Rejection**

Claim 37 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyazaki. This rejection is considered moot in view of the above-mentioned amendments and the indication of allowable subject matter. As a result, withdrawal of this rejection is respectfully requested.

**X. Conclusion**

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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